

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RAMON TAHOD,

Plaintiff,

vs.

Civ. No. 98-76 JP/LCS

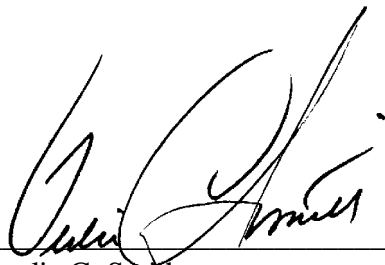
CAPTAIN NIETO, et al.,

Defendants.

**MAGISTRATE JUDGE'S PROPOSED FINDINGS**  
**AND RECOMMENDED DISPOSITION**

This matter comes before the Court upon the Defendants' Motion for Summary Judgment, filed February 24, 1999. To date, the Plaintiff has not filed a response to the Motion for Summary Judgment. His response was due March 18, 1999. Order, filed Jan. 4, 1999. Under D.N.M. LR-Cv 7.5(b), the failure to file a response to the Motion for Summary Judgment "constitutes consent to grant the motion." Consequently, the Plaintiff's failure to respond must result in a recommendation to grant the Defendants' Motion for Summary Judgment and dismiss this case with prejudice. Timely objections to the foregoing may be made pursuant to 28 U.S.C. §636(b)(1)(C). Within ten days after a party is served with a copy of these proposed findings and recommendations that party may, pursuant to §636(b)(1)(C), file written objections to such proposed findings and recommendations. A party must file any objections within the ten day period allowed if that party wants to have appellate review of the proposed findings and

recommendations. If no objections are filed, no appellate review will be allowed.



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Leslie C. Smith  
United States Magistrate Judge